

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

UMG RECORDINGS, INC., ET AL.,

Plaintiff(s)

v.

ELISE TAMAI

Defendant(s)

CASE NUMBER:

3:07-CV-04835-JCS

**PROOF OF SERVICE
SUMMONS AND COMPLAINT**
 (Use separate proof of service for each person/party served)
1. At the time of service I was at least 18 years of age and not a party to this action a **I served** copies of the (specify documents):

- a. ☐ summons ☐ complaint ☐ alias summons ☐ first amended complaint
☐ second amended complaint
☐ third amended complaint

☒ other (specify): **NOTICE TO DEFENDANT; SUMMONS; FIRST AMENDED COMPLAINT FOR COPYRIGHT INFRINGEMENT; EXHIBIT A; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; EX PARTE APPLICATION TO EXTEND TIME TO SERVE DEFENDANT AND ORDER; EX PARTE APPLICATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND ORDER; LETTER; CONSENT OR DECLINATION TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE**

2. Person served:

a. ☐ Defendant (name): **ELISE TAMAI**b. ☒ Other (specify name and title or relationship to the party/business named):

Megan Foose, CO-resident
 c. ☒ Address where papers were served: **564 Alviso Street, Santa Clara, CA 95050**

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☒ Federal Rules of Civil Procedure
 b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

a. ☐ By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and the minor if at least twelve (12) years of age.

1. Papers were served on (date): _____ at (time): _____

b. ☒ By **Substituted service**. By leaving copies:1. ☒ (**home**) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.2. ☐ (**business**) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.3. ☒ Papers were served on (date): **02/18/2008** at (time): **11:15 am**4. ☒ **by mailing** (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).5. ☒ papers were mailed on (date): **02/18/2008**6. ☒ **due diligence**. I made at least (3) attempts to personally serve the defendant.

- c. ☐ **Mail and acknowledgment of service.** By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).
- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h))(C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment of by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service**).
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- h. ☐ **Other** (specify code section and type of service):
5. Service upon the **United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (*date*): _____ at (*time*): _____
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washing, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served**).
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (*name, address and telephone number*):

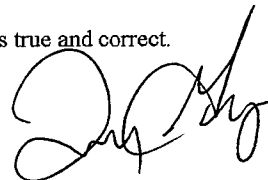
Terry Graap
633 Yesler Way Seattle, WA 98104
206-521-9000

- a. Fee for service: \$
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 02/21/2008



(Signature)



PFI

PROCESS
FORWARDING
INTERNATIONAL

633 Yesler Way Seattle, WA 98104 www.pfiserves.com
800 232-8854 Fax: 800 734-6859

PROCESS SERVICE NOTIFICATION

To: **HOLME ROBERTS & OWEN, LLP**
560 MISSION STREET 25TH FLOOR
SAN FRANCISCO, CA 94105

Attention: Alice Tam
Client Ref:

Date: Feb 22 2008
Dispatcher: Angela D.
AngelaD@abclegal.com
800-324-5619

Tracking #: 5256851



Thank you for using PFI.

Additional service information can be obtained via the Process Service Detail page on our web site.
www.pfiserves.com/trackserve.asp

Servee: ELISE TAMAI

Person Served: MEGAN FOOSE CO-RESIDENT, A white female approx. 25-30 years of age 5'2"-5'4" in height weighing 140-160 lbs with brown hair

Served By: Terry Graap

Service Date: Feb 18 2008 11:15AM

Documents: NOTICE TO DEFENDANT; SUMMONS; FIRST AMENDED COMPLAINT FOR COPYRIGHT INFRINGEMENT; EXHIBIT A; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; EX PARTE APPLICATION TO EXTEND TIME TO SERVE DEFENDANT AND ORDER; EX PARTE APPLICATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND ORDER; LETTER; CONSENT OR DECLINATION TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE

Service Address: 564 ALVISO ST SANTA CLARA county of County CALIFORNIA 95050

Court: UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

Case Name: UMG RECORDINGS, INC., ET AL., Plaintiff / Petitioner
vs. ELISE TAMAI Defendant / Respondant

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Hearing Date:

All documents are served pursuant to:

- A) The statutes or court rules of the jurisdiction in which the matter originates, and or
- B) The statutes or court rules of the state in which service took place, and
- C) Instructions from the customer

If service was substituted upon another person or left with a person(s) who refused to identify themselves, it is incumbent upon you, our customer, to notify ABC legal/PFI in writing if further attempts to serve, serve by mail, or investigate are required.

Information contained in this notification is deemed to be accurate and reliable, but is subject to final verification by PFI personnel.

OFFICIAL PROCESS SERVER TO
U.S. DEPT. OF JUSTICE AND U.S. STATE DEPT.